

DECLARATION, POWER OF ATTORNEY, AND PETITION

We, Joseph Paul-Emile Pierre Cote; Stephen David Thomas; and Steve Masters, declare: that we are citizens of Canada; UK; and the United States of America, respectively; that our residences and post office addresses are 16227 Northup Way, Unit B-201, Bellevue, WA 98008; 2942 W Lk. Samm Parkway NE, Redmond, WA 98052; and 29247 188<sup>th</sup> Avenue, SE, Kent, WA 98042, respectively; that we verily believe we are the original, first, and joint inventors of the subject matter of the invention or discovery entitled "SYSTEM AND METHOD FOR MONITORING SERVER PERFORMANCE USING A SERVER," for which a patent is sought

and which is described and claimed in the specification attached hereto;

and that we acknowledge the duty to disclose information which is material to the examination of this application in accordance with Section 1.56(a) of Title 37 of the Code of Federal Regulations.

We declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

We hereby appoint as our attorneys and/or patent agents all listed under Customer No. 022913; and DANIEL D. CROUSE, Registration No. 32,022; and KATIE SAKO, Registration No. 32,628, of MICROSOFT CORPORATION, One Microsoft Way, Redmond, Washington

with full power to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. All correspondence and telephonic communications should be directed to:

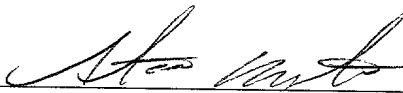
RICK D. NYDEGGER  
WORKMAN, NYDEGGER & SEELEY  
1000 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, Utah 84111

Wherefore, we pray that Letters Patent be granted to us for the invention or discovery described and claimed in the foregoing specification and claims, declaration, power of attorney, and this petition.

Signed at Santa Fe, New Mexico this 4 day of March, 2001.

Inventor: Joseph Paul-Emile Pierre Cote  
Joseph Paul-Emile Pierre Cote  
16227 Northup Way, Unit B-201  
Bellevue, WA 98008

Signed at Redmond, Washington this 9 day of December, 2000.

Inventor:   
Steve Masters  
29247 188<sup>th</sup> Avenue, SE  
Kent, WA 98042

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FOR "SECRET" STAGING

Dated this 7<sup>th</sup> day of February, 2001.

Stephen David Thomas  
Stephen David Thomas  
UK Citizen

I, the undersigned witness, do solemnly declare that Stephen David Thomas is a person personally known to me; that on FEBRUARY 7, 2001, Stephen David Thomas personally appeared before me in the country of UK and the county of CAMBRIDGESHIRE; and that during said personal appearance, Stephen David Thomas signed the foregoing Assignment in my presence, and acknowledged before me that he has read the same and knows the contents thereof and that he executed the same as his free act and deed and for the purposes set forth therein.

W. Kelleher  
Witness Signature

2-7-01  
Date

NEIL KELLEHER  
Witness Name (Please Print)

4 LEE CLOSE, COTTENHAM, CAMBS, UK.

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